

PRECARIOUSWORK PRACTISE IN INDONESIA

CONTRACT WORKER (PKWT)

freelance WORK

INTERNSHIPS

OUTSOURCING

tabulation of working FORM in Indonesia

FORM	DESCRIPTIONS	REGULATION
CONTRACT WORKER (PKWTT)	<ul style="list-style-type: none">• once the work is finished or the temporary nature ;• work expected completion in the not too long and not later than 3 (three) years ;• the work is seasonal ; or work related to new products , new activities , or additional products that are still in the experimental or exploratory	Laws No 13/2003 article 59
FREELANCE WORK	For jobs that are not routine	Laws No 13/2003
INTERNSHIP	<ul style="list-style-type: none">• Training for prospective employment• Not working on production processes that are sold	Laws No 13/2003

FORM	DESCRIPTIONS	REGULATION
OUTSOURCING	<ul style="list-style-type: none">• done separately from the main activity;• done by direct or indirect command of the employer;• is supporting the activities of the enterprise;• not inhibit the production process directly.• Only for supporting job: Health, Safety, Diner, Driver, Mining	UU No 13 tahun 2003 pasal 64-66

method of settlement

- **Make clear rules** →

LAW no 13/2003 (limit os only for supporting the work)

- **Escort** →

advocacy against violations of rules, set in the CBA, (litigation and action), socialization (seminars, dialogues, campaigns)

strategy of struggle

Concept: seminars, workshops, discussions, and draft proposals and basic thoughts

Lobby : EXPLANATION & hearings with related parties (dpr, government, community leaders, police, tni) AND SOCIALISATION (MEDIA, KONSOLIDATION)

Action: demonstrations, strikes, factory raid

Factory raid 2011-2012

Surrounded the plant by union members continuously until there is a collective agreement that will protect the rights of workers who violate the rules be



➤ **JAKARTA**

➤ **WEST JAVA**

➤ **BATAM**

➤ **EAST JAVA**

results OF struggle 2012

REGION	RESULTS
JAKARTA	300 Outsourced Workers became Permanent or Direct Contract Workers Wages → Minimum Wage + OT + Transport + Lunch + health security
BEKASI, KARAWANG, PURWAKARTA	35,000 Outsourced Workers became Permanent or Direct Contract Workers Wages → Minimum Wage + OT + Transport + Lunch + health security
BATAM	500 Outsourced Workers became Permanent or Direct Contract Workers Wages → Minimum wage + OT + Transport + Lunch + health security

OUTSOURCING PRACTICES IN A STATE-OWNED COMPANY

- currently about 280,000 workers who work 141 in State Owned Enterprises through Outsourcing agencies. Some have worked for many years under these OS contracts.
- as many as 3081 OUTSOURCING workers (state electricity company) has been a member of spee - FSPMI
- as many as 150 OUTSOURCING OUTSOURCING (state PHARMACY company) has been a member of SPAI FSPMI Indonesia

Working risk



To strengthening movement

FSPMI and other trade union federations have formed a coalition named " joint movement OF union / worker in SOE (GEBER BUMN)" since March 2013, to fight for the status of the OS into permanent workers in state owned enterprise

ORDER DOWN joint movement OF union / worker in SOE

seminar



Press conference



consolidation



Actions of COALITION (GEBER BUMN)

INSTITUTIONS	ACTIONS	OUTCOMES
ELECTRICITY (PLN) OFFICE	Demonstration	<ul style="list-style-type: none"> • Demanding the implementation of Recommendation about OS SOE of commission IX • Demanded that no layoffs
SOE MINISTER OFFICE	Audience Demonstration	Circular on the follow-up recommendation Panja OS SOE Commission IX of House Representative
WISMA ANTARA (NATIONAL OFFICE NEWS)	Seminar	Recommendations Results of Seminar for State Enterprises Minister
JAKARTA LEGAL AIDS AGENCY	Meetings, discussions Press Conference	<ul style="list-style-type: none"> • Develop action plans • Publication problem OS SOE
FACULTY OF LAW (TRISAKTI UNIVERSITY)	Audience Seminar	Legal Study on the OS in SOEs
HOUSE OF REPRESENTATIVE (DPR)	Audience Demonstration Meetings	<ul style="list-style-type: none"> • working meeting with the ministry bumh • issued a recommendation for bumh os so appointed as permanent workers bumh

Meeting with house of representative



Demonstration when presiden jokowi was sworn to be president



Demonstration in front of ministry of soe office





GOVERNMENT ACTIONS

- Manpower and Ministry of State Owned Enterprises formed a joint task force for the completion of the OUTSOURCING in the Company at the request of the Committee OS SOE SOE House of Representatives
- Supervision Directorate has issued a Memorandum Supervisory against 19 state-owned company
- Task Force chaired by Sahat Sinurat (PHI Director & Jamsos) consisting of Supervisors and the IRC and from Ministry of State Owned Enterprises
- The whole of directors of state (19 companies) have been called task force

CURRENT CONDITIONS

- Electricity company (pln) had fired 544 outsourcing workers
- Farmacy company (indofarma) had fired 150 outsourcing workers
- Electricity company (pln) form subsidiary (haleyora) to do pln's job and make contract with vendor (all os workers be permanent workers for vendor). Each Vendor has job contract with subsidiary for 5 years.
- House of representative will conduct joint meeting (commission 9 and commission 6) together ministry of State ownd enterprise and labor ministry to discuss about solution

NEXT ACTIONS

PROGRAM	OUTCOMES	REMARKS
WORKSHOP “ COMPOSITION OF CONTRACT WORKER”	LIMITATION OF CONTRACT WORKER COMPOSITION REFERENCE STUDENT WORKER HAVE SAME RIGHT WITH MAIN WORKER REFUSE OSWORKERS FOR MAIN JOB	Plant Level, Branch and National Committee Will be conducted on July 2015
MEETING WITH LEGALTEAM	CONCEPT OF REVISION OF REGIONAL REGULATION and LABOR LAW NO 13/2003	Judicial Review Team for revision regulation /Law no 13/2003 Revision of Labor Ministry Regulation No 19/2012 abau OS
HEARINGS WITH LEGISLATIVE (regional & national)	PROVIDE INPUT OF REVISION CONCEPT	Lobbying and socialitation consept to get support
NEGOTIATION WITH MANAGEMENT	COLLECTIVE AGREEMENT	Committee of Plant Level with Management Keep running
CAMPAIGN AND PUBLICATION CONCEPT	MEMBER CONSOLIDATION DEMONSTRATION PRESS CONFERENCE	Involve member to strugle

LIVING WAGE PRACTISE IN INDONESIA

MINIMUM WAGE INCREASE FORMULA = INFLATION + ECONOMIC
GROWTH

(PP 78 Tahun 2015)

PERIODIC WAGE INCREASE FOLLOWING THE FORMULATION OF THE
MINIMUM WAGE INCREASE

strategy of struggle

Concept: DRAFT JUDICIAL REVIEW PP 78 TAHUN 2015

Lobby : EXPLANATION & hearings with related parties (dpr, government, community leaders) AND SOCIALISATION (MEDIA, KONSOLIDATION)

Action: JUDICIAL REVIEW TO THE SUPREME CORT, demonstrations TO THE PRESIDENSIAL PALACE ON MAY DAY WITH 100.000 PRTICIPANTS FROM (GBI) AND IN SOME OF THE GOVERNUR OFFICE.